IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY PETITION NO.9-C OF 2003

Centurion Bank Limited
a Company incorporated
under the Companies Act,
1986 having its registered
office at Durga Niwas,
Mahatma Gandhi Road,
Panaji 403 001, Goa. ... Petitioner.

versus

Deleted in view of Order dated 24-9-2003 passed in Company Apln.No. 70-C of 2003.

[Bank of Muscat(SAOG)
and Centurion Bank Limited
and shareholders of Centurion
Bank Limited. ... Respondent.]

Mr. Sudin Usgaonkar, Advocate for the Petitioner.

Mr. G. K. Purwar, Official Liquidator present in person.

Mr. V. P. Thali, Senior Central Government Standing Counsel for Department of Company Affairs.

CORAM: P. V. HARDAS, J.

DATED: 12TH SEPTEMBER,2003.

**ORAL JUDGMENT**

This Petition has been filed by the Petitioner seeking approval to the Scheme of Arrangement which is filed by the Petitioner at Exh.'E' to this Petition.

2. Mr. V. P. Thali, learned Senior Central Government Standing Counsel appearing for Regional Director, Department of Company Affairs has produced on record a letter dated 27th August, 2003. By virtue of this letter, the Regional Director has expressed that he has no objection for sending the Scheme of Arrangement.

3. The learned Official Liquidator has also filed his Report and in paragraph 15 he has stated that the Secured/Unsecured creditors of Centurion Bank Limited will not be affected by the proposed Scheme of Arrangement as the asset of the Bangalore Branch of Bank of Muscat transferred are more than the liabilities which are transferred and infusion of fresh funds will improve the financial position of Centurion Bank Limited. In the same paragraph, the learned Official Liquidator has also referred to the Report dated 5th August, 2003 submitted by the Auditor. From the document at Exh. 'A' annexed to the Affidavit dated 13th August, 2003 of Shri V. Janakiraman, Chairman and Managing Director of the Petitioner Company, the Reserve Bank of India has conveyed "in principle" its approval to the proposal in terms of Section 44B of the Banking Regulation Act, 1949. I have perused the Scheme and I am satisfied that the said Scheme is in the interest of the Company.

4. Mr. Sudin Usgaonkar, learned Counsel appearing for the Petitioner Company has placed the Minutes of the Order on record. The same is marked "X" for the purpose of identification. Order in terms of the Minutes of the Order at "X" is passed.

5. Company Petition No.9-C of 2003 is accordingly allowed.

P. V. HARDAS, J.

RD.